



# Domestic Waterfront Structures Strategies

A guide to help local government embed the domestic waterfront structures strategy into their Coastal Management Program

## Marine Estate Management Authority

### WHAT ARE DOMESTIC WATERFRONT STRUCTURES STRATEGIES?

Domestic Waterfront Structures (DWS) Strategies are bespoke area-specific tools being developed under Initiative 2 of the Marine Estate Management Strategy (MEMS) that will assist landholders and regulatory authorities when determining the suitability of sites for new domestic waterfront structures. These strategies consolidate all relevant legislation and guidelines with a focus on the landowner's consent (LOC) component into a single document for each estuary in NSW. This will simplify and streamline the approval process for new domestic waterfront structures on Crown land. Each strategy is accompanied by an easy-to-use online map that clearly indicates the suitability of a site to be granted LOC. The maps use a 'traffic light system' (green, orange, red) to show where LOC would likely be granted along the mapped foreshore and, where relevant, the primary reason a foreshore is not considered suitable for development.

### WHY IS THE DWS STRATEGIES PROJECT IMPORTANT?

The NSW Threat and Risk Assessment (TARA), which underpins the MEMS, identifies key risks to the NSW marine estate that this project will address, including:

- foreshore habitat degradation
- erosion leading to poor water quality
- threats to public enjoyment of foreshores.

Poorly considered development can lead to modification or loss of coastal habitat and restrictions to public access of waterfront lands. Degraded coastal habitat and loss of access can negatively impact the social, cultural, and economic benefits that communities derive from the marine estate.

NSW legislation requires that proponents of domestic waterfront structures must first obtain LOC from Crown Lands before a development assessment can be assessed by local government. LOC requests are assessed on a case-by-case basis and can require input from multiple government agencies. This process can be lengthy, with proponents investing time and money into proposals that are not compliant with existing state government legislation and guidelines.

Both the strategy and map will have been reviewed by each relevant agency, thereby pre-emptively informing the most likely outcome of a LOC application. DWS Strategies will provide applicants with more certainty on site suitability when they consider applying for LOC for a new domestic waterfront structure. This information will assist applicants to make informed decisions, reduce the number of applications for structures that are unlikely to be granted LOC, and inform the compliance process for removal of unauthorised structures.

### DOMESTIC WATERFRONT STRUCTURES STRATEGIES AND THE MARINE ESTATE MANAGEMENT STRATEGY

Foreshore development was identified as a moderate-to-high risk in the state-wide TARA results. Several actions were recommended to address this threat. The DWS Strategies project



is being delivered as part of Initiative 2 ‘*Delivering healthy coastal habitats with sustainable use and development*’, management action 2.3 ‘*develop estuary-wide strategies that reduce red tape and inform the assessment of foreshore structure strategies for private works spanning the intertidal foreshore*’.

The DWS Strategies project also closely aligns with the Crown Lands’ reform process that will examine the use and management of coastal Crown land to promote the sustainable use of, and access to this land and improve public benefits for current and future users.



### Key aims of the project are to:

- Develop a strategy for each relevant estuary and accompanying map to streamline a consistent assessment process for all future domestic foreshore structures.
- Develop a set of standard design guidelines for new structures informed by research that is investigating the best environmental practice design.
- Identify and document the procedure for the removal of unauthorised structures, with potential monitoring of environmental outcomes following the removal of these structures.
- Promote the integration of public authority roles in managing the marine estate.

### HOW TO EMBED THIS PROJECT INTO A COASTAL MANAGEMENT PROGRAM

Local Government Coastal Management Programs (CMP) are suitably aligned with improving outcomes for the marine estate. The DWS Strategies project can assist with strategic foreshore development and reduce key threats such as loss of habitat, impacts on marine species (flora and fauna), foreshore erosion, and reduction in water quality. Incorporating the DWS Strategies into a CMP will assist with its implementation and adoption across the state.

The following are suggestions that may assist with the inclusion of the DWS Strategies into a CMP at each stage:



#### Stage 1 – identify the scope of a CMP

- Recognise the contribution of foreshore development to habitat loss, impacts on marine species, and foreshore erosion which are key threats to the coastal environment (aligned with MEMS and TARA).
- Consider threats of foreshore development on social and cultural values e.g. public access, amenity, usage, and safety, and how the DWS can be used during land-use planning.
- Include a member of the DWS Strategies team (outlined below) in your engagement strategy.



#### Stage 2 -determine risks, vulnerabilities, and opportunities

- Consult and collaborate with the MEMS DWS Strategies project team and project partners to identify shared goals.
- Consider supporting and promoting the DWS Strategies and future guidelines to demonstrate the adoption of best practices when protecting the coastal foreshore through strategic development.
- Use the DWS Strategies to engage with the Crown Lands’ Coastal Unit to prioritise sites and identify scenarios where domestic waterfront structures may be replaced or substituted with a public facility – where social and economic benefits are at a local scale not an individual basis.
- Recognise potential opportunities to adapt to change and thereby enhance the resilience of natural features and coastal communities.





### Stage 3 – identify and evaluate options

- Consider including a strategic approach to foreshore development, consistent with the integrated and coordinated state-wide DWS Strategies project as an action to reduce the threats listed above.



### Stage 4 – prepare, exhibit, finalise, certify, and adopt the CMP

- Document partnerships with DPI DWS Strategies project team and other key stakeholders and keep them involved and informed during the progression of the CMP.
- Seek formal agreement from the project partners to the CMP under section 15(4)(b) of the Coastal Management Act 2016.



### Stage 5 – Implement, monitor, evaluate, and report

- Adopt the DWS Strategies and future guidelines as a planning tool during the development application process.
- Provide links to the DWS Strategies and maps for relevant estuaries on the planning page of Council's website.
- Consider using the DWS Strategies and future guidelines when prioritising upgrading or installing public foreshore facilities e.g. public boat ramps, wharves.



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